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3 JPMORGAN BANK, N.A.,  
4 Plaintiff,  
5 v.  
6 DAVID RENFRO,  
7 Defendant.

8 Case No. [15-cv-05744-BLF](#)  
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**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF  
MAGISTRATE JUDGE AND  
REMANDING ACTION TO THE  
SANTA CRUZ COUNTY SUPERIOR  
COURT**

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13 The Court has reviewed the Report and Recommendation of Magistrate Judge Paul S.  
14 Grewal remanding *sua sponte* this unlawful detainer action and denying Defendant's motion to  
15 proceed in forma pauperis. See ECF 6. No objections to the Report and Recommendation have  
16 been filed and the deadline to object has elapsed. *See Fed. R. Civ. P. 72(b)(2)* (deadline for  
17 objections is fourteen days after being served with report and recommendation); Certificate of  
18 Service, ECF 6-1 (Defendant served with R&R by mail on December 29, 2015).

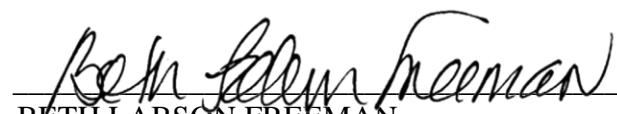
19 The Court finds the Report correct, well-reasoned and thorough, and adopts it in every  
20 respect. Accordingly, the Court DENIES Mr. Alejandro Alianz's motion to proceed in forma  
21 pauperis and the above-titled unlawful detainer action is REMANDED to the Santa Cruz County  
22 Superior Court. The Court TERMINATES AS MOOT JPMorgan Bank N.A.'s motion to remand,  
23 ECF 4, and motion to shorten time on the motion to remand, ECF 5.

24 Finally, the Court notes that this is the third time this unlawful detainer action has been  
25 removed from Santa Cruz Superior Court. *See Docket No. 5 at 2; JPMorgan Chase Bank*  
26 *National Association v. Renfro*, Case No. 5:15-cv-01730-BLF at Docket No. 1 (N.D. Cal. Apr. 16,  
27 2015) ("Renfro I"); *JPMorgan Chase v. Renfro*, Case No. 5:15-cv-02705-BLF at Docket No. 1

1 (N.D. Cal. June 17, 2015) ("*Renfro II*"). After the Court warned Mr. David Renfro that further  
2 attempts to remove this action could result in sanctions, *see Renfro II* at 2, Mr. Renfro's tenant,  
3 Mr. Alianz, appeared in the state court action and removed the action. The Court notes for the  
4 record that Mr. Alianz is utilizing the same address as Mr. Renfro's attorney of record, Donald  
5 Schwartz. The Court advises Mr. Alianz that any further attempts to remove this action may result  
6 in sanctions. Furthermore, if there are further attempts to remove this action by anyone without an  
7 objectively reasonable basis, the Court may order all parties and their attorneys of records to  
8 appear in Court to explain why sanctions should not be awarded. The Court also reminds all  
9 counsel of their duty and responsibility to abide by the Standards of Professional Conduct  
10 contained in the Civil Local Rules. *See* Civil L.R. 11-4.

11 **IT IS SO ORDERED.**

12 Dated: January 13, 2016

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14 BETH LABSON FREEMAN  
United States District Judge

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United States District Court  
Northern District of California